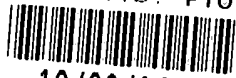


65373 U.S. PTO.



12/23/96

PATENT  
Docket No. 212302000320

#8  
C. Off.  
1/30/97

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on December 18, 1996.

*Susan K. Lehnhardt*  
Susan K. Lehnhardt

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

STEFAN MILTENYI et al.

Serial No.: 08/416,920

Filing Date: 21 April 1995

For: DIRECT SELECTION OF CELLS BY  
SECRETION PRODUCT

Examiner: R. Schwadron

Group Art Unit: 1816

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

This paper responds to the restriction requirement mailed on September 18, 1996 for which a response was due on October 18, 1996. Applicants request a two month extension of time and enclose the appropriate fee therefor under 37 C.F.R. § 1.17(a).

Applicant hereby elects Groups I and II (claims 1-30, 34-51, and 53-56), with traverse. Applicant expressly reserves his/her right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

The traversal of the restriction requirement is based on the restriction requirement in the related case, serial no. 08/487,048 in which the claims were grouped into two groups: Claims 1-6, 17-21 and claims 7-16. The arbitrariness of the requirement indicates that there would be no difficulty in examining all the claims together.

Applicant requests examination of the elected subject matter on the merits.

Dated: December 18, 1996

Respectfully submitted,

By: Susan Lehnhardt  
Susan K. Lehnhardt  
Registration No. 33,943

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